

87th Legislative Session – 2012

Committee: Senate Agriculture and Natural Resources

Thursday, February 09, 2012

P - Present  
E - Excused  
A - Absent

Roll Call

P Begalka  
P Frerichs  
P Frysliie  
P Hansen (Tom)  
P Rampelberg  
P Rhoden  
P Vehle  
P Maher, Vice-Chair  
P Krebs, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Shantel Krebs, Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 7, 2012

Moved by: Hansen (Tom)  
Second by: Frerichs  
Action: Prevailed by voice vote.

SB 160: create the North Central Water Development District, to provide for the appointment of the board of directors, to establish certain property tax levy limitations, and to revise the boundaries of the James River Water Development District.

Presented by: Senator Al Novstrup

GAVEL PASSED TO SENATOR RYAN MAHER, VICE CHAIR

GAVEL PASSED BACK TO SENATOR SHANTEL KREBS, CHAIR

MOTION: RECONSIDER SB 160

Moved by: Begalka  
Second by: Maher  
Action: Prevailed by voice vote.

MOTION: CONSIDER SB160 AT THIS TIME

Moved by: Fryslie  
Second by: Begalka  
Action: Prevailed by voice vote.

MOTION: AMEND SB 160

160ta

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That chapter 46A-3A be amended by adding thereto a NEW SECTION to read as follows:

The James River Water Development District established pursuant to § 46A-3A-4 is hereby dissolved. The Board of Water and Natural Resources shall exercise the necessary power and authority of the water development district board of directors pursuant to § 46A-3C-5 until all financial responsibilities, obligations, and other contractual commitments of the dissolved water development district are satisfied. The Board of Water and Natural Resources, by mutual agreement with any successor water development district operating in substantially the same area as the James River Water Development District, may transfer such financial responsibilities, obligations, and contractual commitments, as well as property and assets to the successor water development district.

Section 2. That § 46A-3A-4 be repealed.

~~— 46A-3A-4. The James River Water Development District is hereby established. The James River Water Development District includes all of Brown, Spink, Beadle, Sanborn, Davison, Hand, Hanson, Hutchinson, Marshall, and Yankton counties; Farmington, Homer, Independence, Andover, Union, Lynn, Bristol, Kidder, Scotland, Valley, Butler, Oak, Troy, and York townships in Day County; Redstone, Carthage, Miner, Green Valley, Clinton, Roswell, Beaver, and Rock Creek townships in Miner County; and Pleasant Valley, Bristol, Belford, Cooper, Firesteel, Palatine, Plankinton, Hopper,~~

~~Pleasant Lake, Dudley, and Aurora townships in Aurora County.~~

Section 3. That chapter 46A-3A be amended by adding thereto a NEW SECTION to read as follows:

The James Basin Water Development District is hereby established. The James Basin water Development District shall function under the provisions of chapters 46A-3A to 46A-3E, inclusive, except as otherwise provided in this Act. The James Basin Water Development District includes all of Brown, Spink, Beadle, Sanborn, Davison, Hand, Hanson, Hutchinson, Marshall, and Yankton counties; Farmington, Homer, Independence, Andover, Union, Lynn, Bristol, Kidder, Scotland, Valley, Butler, Oak, Troy, and York townships in Day County; Redstone, Carhage, Miner, Green Valley, Clinton, Roswell, Beaver, and Rock Creek townships in Miner County; and Pleasant Valley, Bristol, Belford, Cooper, Firesteel, Palatine, Plankinton, Hopper, Pleasant Lake, Dudley, and Aurora townships in Aurora County.

Section 4. That chapter 46A-3B be amended by adding thereto a NEW SECTION to read as follows:

The Governor shall appoint the initial board of directors of the James Basin Water Development District. The initial board shall consist of nine directors, who shall represent the same director areas as were designated for the James River Water Development District at the time of its dissolution. The terms of the initial directors shall expire on January 1, 2015. At the 2014 general election, four directors shall be elected to two-year terms, and five directors shall be elected to four-year terms. Directors shall thereafter be elected to four-year terms at each subsequent general election to succeed those directors whose terms expire at the end of the year in which the election is held."

Moved by: Begalka  
Second by: Maher  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND SB 160

160tb

On the printed bill, delete everything after the enacting clause and insert:

"

Section 1. The Legislature may dissolve the James River Water Development District."

Moved by: Rhoden  
Second by: Frerichs  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 160 AS AMENDED

Moved by: Rhoden  
Second by: Maher  
Action: Prevailed by roll call vote. (7-1-1-0)

Voting Yes: Begalka, Frerichs, Fryslie, Hansen (Tom), Rhoden, Maher, Krebs

Voting No: Rampelberg

Excused: Vehle

MOTION: AMEND TITLE OF SB 160

160tta

On page 1, line 1, of the printed bill, delete everything after "to" and insert "revise certain provisions relating to the James River Water Development District."

On page 1, delete lines 2 to 4, inclusive.

Moved by: Rhoden  
Second by: Maher  
Action: Prevailed by voice vote.

LARRY STEARNS, DEPARTMENT OF AGRICULTURE INTRODUCED:

Curt Mortenson, Ft. Pierre SD

Bart Blum, Reliance, SD

MOTION: CONFIRM REAPPOINTMENT OF CURT MORTENSON OF STANLEY COUNTY, FT. PIERRE, SOUTH DAKOTA, TO THE STATE BRAND BOARD.

Moved by: Rhoden  
Second by: Rampelberg  
Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Begalka, Frerichs, Fryslie, Hansen (Tom), Rampelberg, Rhoden, Maher, Krebs

Excused: Vehle

MOTION: PLACE REAPPOINTMENT OF CURT MORTENSON, STANLEY COUNTY, FT. PIERRE, SOUTH DAKOTA, TO THE STATE BRAND BOARD ON THE CONSENT CALENDAR.

Moved by: Rhoden  
Second by: Rampelberg  
Action: Prevailed by voice vote.

MOTION: CONFIRM REAPPOINTMENT OF BART BLUM OF LYMAN COUNTY, SOUTH DAKOTA, TO THE STATE BRAND BOARD.

Moved by: Hansen (Tom)  
Second by: Frerichs  
Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Begalka, Frerichs, Fryslie, Hansen (Tom), Rampelberg, Rhoden, Maher, Krebs

Excused: Vehle

MOTION: PLACE REAPPOINTMENT OF BART BLUM, LYMAN COUNTY, RELIANCE, SOUTH DAKOTA, TO THE STATE BRAND BOARD ON THE CONSENT CALENDAR.

Moved by: Hansen (Tom)  
Second by: Rhoden  
Action: Prevailed by voice vote.

HB 1018: repeal certain obsolete or unnecessary provisions pertaining to the Department of Game, Fish and Parks.

Presented by: Jeff Vonk, Department of Game, Fish and Parks

MOTION: DO PASS HB 1018

Moved by: Fryslie  
Second by: Hansen (Tom)  
Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Begalka, Frerichs, Fryslie, Hansen (Tom), Rampelberg, Rhoden, Maher, Krebs

Excused: Vehle

MOTION: PLACE HB 1018 ON CONSENT CALENDAR

Moved by: Hansen (Tom)

Second by: Rampelberg

Action: Prevailed by voice vote.

HB 1020: authorize the Department of Game, Fish and Parks to sell the Marcotte Tract located within the Marcotte Game Production Area in Meade County to the City of Sturgis.

Presented by: Tony Leif, Department of Game, Fish and Parks (Handouts: #1)

MOTION: DO PASS HB 1020

Moved by: Fryslie

Second by: Frerichs

Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Begalka, Frerichs, Fryslie, Hansen (Tom), Rampelberg, Rhoden, Vehle, Maher, Krebs

MOTION: PLACE HB 1020 ON CONSENT CALENDAR

Moved by: Fryslie

Second by: Rampelberg

Action: Failed by voice vote.

HB 1036: establish and revise certain provisions and penalties related to the regulation of grain warehouses, grain buyers, and warehouse receipts.

Presented by: Jim Mehlhaff, Public Utilities Commission

Proponents: Kathleen Zander, SD Grain and Feed Association

Brenda Forman, SD Association of Cooperatives

MOTION: DO PASS HB 1036

Moved by: Rampelberg

Second by: Vehle

Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Begalka, Frerichs, Fryslie, Hansen (Tom), Rampelberg, Rhoden, Vehle, Maher, Krebs

MOTION: PLACE HB 1036 ON CONSENT CALENDAR

Moved by: Vehle

Second by: Rampelberg

Action: Prevailed by voice vote.

THE CHAIR DEFERRED HB 1037 UNTIL TUESDAY, FEBRUARY 14, 2012

MOTION: ADJOURN

Moved by: Fryslie

Second by: Vehle

Action: Prevailed by voice vote.

Cindy Louder  
Committee Secretary

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Shantel Krebs, Chair